

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VENTURE GROUP ENTERPRISES, INC.

Plaintiff,

v.

VONAGE BUSINESS INC.,

Defendant.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 09/15/2021**

20-CV-4095 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

For the reasons stated on the record at today's conference, Venture's motion to dismiss is granted in part and denied in part. The following of Vonage's claims are dismissed: the RICO and RICO conspiracy counterclaims, the New York General Business Law counterclaim, the tortious interference counterclaim, and the unjust enrichment counterclaim. The following of Vonage's claims are not dismissed: the breach of contract counterclaim and the fraud counterclaim. Venture's motion to strike Vonage's seventh and ninth affirmative defenses is denied.

As per the Court's January 4, 2021 order, *see* Dkt. 73, a joint status update is due one week after the close of fact discovery.

The Clerk of Court is directed to terminate the motion pending at Dkt. 34.

SO ORDERED.

Dated: September 15, 2021
New York, New York



RONNIE ABRAMS
United States District Judge